

EXHIBIT 1



SHAWE
ROSENTHAL LLP

20 S. Charles Street
11th Floor
Baltimore, MD 21201
P: 410-752-1040
F: 410-752-8861

shawe.com

To: The Hon. Mary Pat Thyng — (302) 573-6445
Jeffrey K. Martin, Esq. — (302) 777-5803
Matthew F. Boyer, Esq. — (302) 658-0380

Date: June 19, 2008

Pages (including cover): 3

From: Arthur M. Brewer

Comments/Message:

Re: Davis, *et al.* v. Mountaire Farms, Inc., *et al.*
Civil Action No. 04-414-SLR

Confidentiality Notice

This facsimile transmission (and/or the documents accompanying it) may contain confidential information belonging to the sender that is protected by the attorney-client privilege. This information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please notify us by telephone to arrange for its return.

**SHAW
ROSENTHAL LLP**

20 S. Charles Street
11th Floor
Baltimore, MD 21201
P: 410-752-1040
F: 410-752-8861

shawe.com

VIA FACSIMILE – (302) 573-6445

Arthur M. Brewer
brewer@shawe.com
410-843-3466

June 19, 2008

The Honorable Mary Pat Thyng
United States District Court for the District of Delaware
U. S. Courthouse
844 King Street
Wilmington, DE 19801

Re: Davis, et al. v. Mountaire Farms, Inc., et al.
U.S. District for the District of Delaware
Civil Action No. 04-414-SLR

Dear Judge Thyng:

The parties in this case submitted Mediation Statements to you on June 16, 2008. Prior the submission of those statements, all counsel participated in a conference call with you wherein the parties set forth their positions as to the likelihood as to success of a mediation session. I am sure that the Mediation Statements that Your Honor received accurately reflect the positions of the parties regarding mediation.

At the conclusion of the conference call you stated that you would review the Mediation Statements and decide whether, in your opinion, it would be fruitful to go forward with the mediation conference.

I was advised yesterday that the person who was going to be in attendance with me from Mountaire will be unable to attend the conference because she has been subpoenaed to participate in litigation in Northern Wisconsin involving her prior employer. I will attempt to see if Ms. Vink, Mountaire's representative, can be available by telephone in the event you decide the conference should go forward.

The Honorable Mary Pat Thyng
June 19, 2008
Page 2

**SHAW
ROSENTHAL LLP**

I would greatly appreciate your letting me know how best to proceed.

Respectfully submitted,

SHAW & ROSENTHAL, LLP


Arthur M. Brewer

AMB/ker

cc: Jeffrey K. Martin, Esq., Martin & Wilson, P.A. (via fax)
Matthew F. Boyer, Esq., Connolly, Bove, Lodge & Hutz, LLP (via fax)

#180619

EXHIBIT 2

1 IN THE UNITED STATES DISTRICT COURT

2 IN AND FOR THE DISTRICT OF DELAWARE

3 AUBREY WESTON, VIRGIL BAINE,
4 GILFORD HOPKINS, WILLIAM HUDSON
5 ERNEST POWELL, KENNETH SAMPSON,
AND VINCENT WISE, SR.

6 Plaintiffs,

7 v.

Civil Action No.

8 MOUNTAIRE FARMS, INC., MOUNTAIRE 1:07-CV-00052
9 FARMS OF DELAWARE, INC., and
MOUNTAIRE FARMS OF DELAWARE, all
10 Delaware Corporations

11 Defendants.
_____ /

12
13 EXCERPT OF THE PROCEEDINGS

14 Pursuant to notice, the deposition of
15 VINCENT WISE, SR., was taken on Friday, June 27,
2008, commencing at 1:40 p.m., at the Holiday Inn
16 Express, 210 North Dual Highway, Seaford, Delaware,
before Kathy A. Zeve, an RPR and Notary Public in
and for the State of Delaware.

17 Corbin & Hook Reporting, Inc.

18 P.O. Box 6239

19 Annapolis, Maryland 21401-9996

20 Reported by KATHY A. ZEVE, RPR

21

A P P E A R A N C E S

ON BEHALF OF THE PLAINTIFFS:

JEFFREY K. MARTIN, ESQUIRE
MARTIN AND WILSON, P.A.
1508 Pennsylvania Avenue
Wilmington, Delaware 19806
(302) 777-4681

ON BEHALF OF THE DEFENDANTS:

ARTHUR M. BREWER, ESQUIRE
SHAW ROSENTHAL, LLP
11th Floor
20 South Charles Street
Baltimore, Maryland 21201
(410) 752-1040

ALSO PRESENT: Kenneth Sampson
Gifford Hopkins
Bruce West
Cher Bink

1 MR. MARTIN: Last week I made a request
2 for the subpoena for Cher Bink that you represented
3 had been issued to the court. And we had some -- a
4 rather heated exchange in which you denied -- you
5 said that you would not provide it to me.

6 MR. BREWER: That's correct. I'm not
7 used to having my integrity questioned by you or
8 anybody else.

9 MR. MARTIN: That's fine. You know, you
10 made a statement to a federal tribunal --

11 MR. BREWER: I understand that.

12 MR. MARTIN: -- and I am going to stand
13 by my request and ask you, once again, this time on
14 the record, I'm going to ask you to produce the
15 subpoena to Ms. Bink and -- apparently to testify in
16 Wisconsin. And if you can do that and it shows that
17 she was to testify this Tuesday, the 24th, then
18 there will be no further inquiry on my part.

19 MR. BREWER: I declined your request
20 over the phone, and I'm going to decline it again
21 because, as an officer of the court, I have

1 obligations. I take them very seriously.

2 I've been practicing law for 36 years. I
3 have never misrepresented anything to a federal
4 judge, a state judge or any other trier of fact.
5 And I particularly resent having my integrity
6 questioned by you.

7 So the answer to your question, sir, is I
8 will not show you that subpoena. If Judge Thyng
9 wants to see that subpoena, I will be more than
10 happy to show it to her. I will not show it to you.

11 MR. MARTIN: I have done some
12 investigation that has revealed to me that what
13 you've said is inaccurate.

14 MR. BREWER: Good. Bring it to the
15 attention of the judge, which you already did.

16 MR. MARTIN: No. There's Judge Thyng,
17 there's also Judge Robinson. At this point right
18 now, I am very seriously considering making
19 application to Judge Robinson to have you removed
20 from this case because of the misrepresentation you
21 made to the federal tribunal. That is an option

1 that I am considering right now. I want to be
2 straight up with you on that.

3 If you want to produce a subpoena and it
4 is what you represent it to be, again, no further
5 inquiry. Absent that, I will -- I most likely will
6 do that.

7 MR. BREWER: Do what you have to do. Do
8 what you have to do. And I hope you're prepared for
9 the consequences.

10 (Deposition concluded at 3:50 p.m.)

11

12

13

14

15

16

17

18

19

20

21

1 STATE OF DELAWARE

2 SUSSEX COUNTY

3 I, Kathy A. Zeve, a Notary Public and
4 Registered Professional Reporter in and for the State
5 of Delaware, do hereby certify that EXCERPT OF THE
6 PROCEEDINGS was held before me at the time and place
7 herein set according to law.

8 I further certify that the examination was
9 recorded stenographically by me and then transcribed
10 from my stenographic notes to the within printed
11 matter by means of computer-assisted transcription in
12 a true and accurate manner.

13 I further certify that the stipulations
14 contained herein were entered into by counsel in my
15 presence.

16 I further certify that I am not of counsel
17 to any of the parties, not an employee of counsel, nor
18 related to any of the parties, nor in any way
19 interested in the outcome of this action.

20 AS WITNESS my hand and Notarial Seal this
21 1st day of July, 2008, at Georgetown, Delaware.

Kathy A. Zeve, RPR
Notary Public

My commission expires September 7, 2010

My Certificate No. is 110-RPR Expires 01/31/2011

EXHIBIT 3

Washburn County Register

Serving Shell Lake & the surrounding area since 1889

Washburn County Register • wcregister@centurytel.net • 715-468-2314 • Fax 715-468-4900 • PO Box 455, Shell Lake, WI 54871

Thursday, JUN 26, 2008

Channels

- Community Events
- Weather
- Subscribe Today!
- View Classifieds
- Place a Classified Ad
- Submit Community Event
- Birth Announcement
- Wedding Announcement

News and More

- Front Page
- Local features
- Letters to the editor

Sports

- Front page

Community

- Register Memories
- Temps & lake levels
- Shell Lake Happenings
- Engagement
- Births
- Correspondent news
- Obituaries

Columnists

- From the Mayor's Desk
- Beyond the office door
- Lake Shore Lines
- Words from the Warden

Services

- Commercial Printing
- General Office Supplies
- Insert Rates

About Us

- Staff

Links

- Inter-County Leader
- Advertiser

Guest Book



Guest Book

News via Email



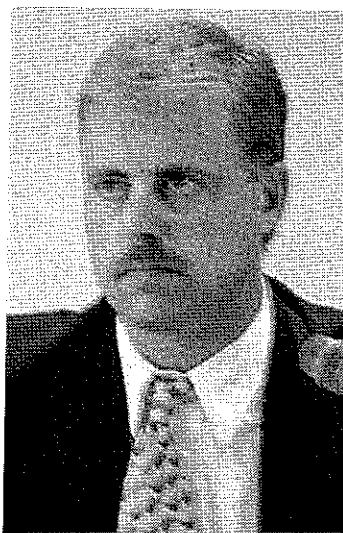
Get the News via Email

Email Us



Email Us

Defense begins arguments in Link trial



Jay Link took the stand last week, for the first time since being called as an adverse witness. - Photo by Regan Kohler

Regan Kohler 25.JUN.08

SHELL LAKE – The defendant's side in the Link Snacks civil jury trial began testifying last week at the Washburn County Courthouse.

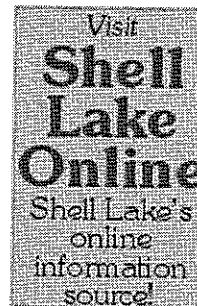
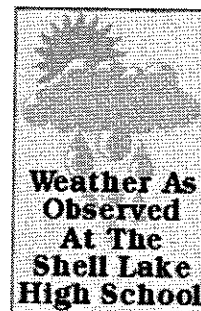
Jay Link, who is being sued for his shares in Link Snacks Inc. by his father and brother, Jack and Troy Link, took the stand to be questioned by his attorney, Michael Aprahamian, for the first time Wednesday, June 18.

Jay had been called as an adverse witness for the plaintiffs a couple of weeks ago. He talked about his time with the beef jerky snack company his father built in Minong in the 1980s, leading up to his exit in 2005 after high tensions between himself and his father. One exhibit Aprahamian offered was an article published while Link was still with the company, and he told the court it hadn't even mentioned him at all, but featured his father and brother as the directors of the company.

It had come as a complete surprise, he said, and he confronted them about it. Link said he has been in sales his whole life, since a young age. Later that morning, LSI attorney Michael Freeborn cross-examined Jay Link. He focused on what he called exaggeration, and asked Jay Link if, as a salesman, he ever found this to be a useful talent. Link said he had not ever exaggerated in his work.

Freeborn used multiple exhibits during his questioning, including newspaper articles and documents, in which he wondered if Link had been exaggerating in quotes he'd given. Link was able to dispute them.

The court continued hearing from witnesses Monday, June 23. Cher Vink, former LSI human resources vice president, testified that she and Jay



Link, whom she reported to, had a good working relationship. She said that he made significant contributions to getting the human resources department up and running in the company. She said he was more one to delegate than micromanage.

Vink said that in contrast, Jack Link had been a dictator, and she felt pressured to "side with him" on decisions, among other things. Vink also said she witnessed arguments between all three men, and knew there were problems going on around 2004-05.

Jack and Troy Link's attorney Brian Norton cross-examined Vink, and when asked if there were any specific descriptions for Jack and Jay Link's jobs, she said no and this may be, in part, one of the problems. She also answered in the affirmative when asked if she was a friend of Jay Link.


Dale Bruder, Jack Link's former personal assistant and a current LSI employee, testified that Jack Link had once said something to the effect of turning the business over to his sons, but that he wasn't told Jack and Troy Link were taking over.


When cross-examined by LSI's attorney, Bruder said he didn't like to argue with Jay Link because he felt intimidated.

Lydia Cook, a former employee of LSI, testified that she had turned in her two week's notice from LSI in 2005, but was let go before the two weeks were up. When cross-examined, she said she now works for Jerky Snack Brands, and that Jay Link offered her higher wages to work for him. Though the attorney called up a video deposition in which Cook had said she took the job because of the better pay, Cook said she'd had to carefully weigh the decision beforehand.

Cook also testified that she had never heard Jack Link say he wanted his son out of the company, nor did she have firsthand knowledge of why Jay Link had left.

A different matter, of possible criminal conduct in documents on the defendant's side, was being discussed separately as of Monday. The defendant's side was slated to be done with testimonies as of Wednesday, June 25.

 EMAIL THIS STORY

 PRINT THIS STORY

more . . . Front Page

25.JUN.08 Walkabout
25.JUN.08 Highway committee hears issues on ATV route
25.JUN.08 Defense begins arguments in Link trial
25.JUN.08 Early copy, please
25.JUN.08 Independence Day celebration set
25.JUN.08 Fine arts festival and regatta on holiday weekend
25.JUN.08 Local volunteers involved in rescue
25.JUN.08 High-risk intersection may see technological signage
25.JUN.08 Lake protection grant, shoreland restoration highlight
Saturday lake district meeting
18.JUN.08 Too good to wait
18.JUN.08 School board hires new coaches
18.JUN.08 Link trial: CEO testifies
18.JUN.08 County board passes closed session policy
18.JUN.08 Shell Lake sees 10-plus-hour power outage
18.JUN.08 Jazz concerts tonight and Friday night
18.JUN.08 From the Sheriff's Desk
18.JUN.08 24th-Annual Tri-County Dairy Breakfast held
11.JUN.08 Shell Lake sees 10-plus-hour power outage
11.JUN.08 Father and son testify
11.JUN.08 Charging into vacation
11.JUN.08 Revised Wal-Mart agreement approved
11.JUN.08 City discusses youth sitting on the council
11.JUN.08 Washburn County Family Festival
11.JUN.08 Shell Lake Fire Department holds annual meeting